

NOTICE OF EMISSION REDUCTION CREDIT GENERATION

INSTRUCTIONS: Complete one form per emission-generating source per calendar year registered to provide notice to the Division of Air Quality (DAQ) that the source has generated (or will generate) emission reduction credits per 45CSR28.

It is recommended that this form be reviewed in its entirety before attempting to complete the individual form entries. By their nature, open-market emission trading programs involve many eligibility criteria; your responses may disqualify the proposed ERC generation, and therefore your source may not be eligible to participate in the program.

45CSR28 which authorizes air pollution emissions banking and trading is a non-federally approved rule. Facility's that choose to use this voluntary program accept any and all liability associated with participating in this program.

AGENCY USE ONLY Fill in Registry Series Number Assigned to Notice:		
COMPANY INFORMATION		
1. Company Name as registered with the Secretary of State's Office		
2. Company Mailing Address (Street, City, State, Zip Code)		
3. Name of Facility (if different from above)	4. This Prospective Registrant is the: <input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Both	
5. DAQ Facility ID Number (existing facility) □ □ □ - □ □ □ □ □	6. Contact Person Name & Title	7. Contact Person Telephone Number () -
8. Is the prospective registrant a resident of the state of West Virginia? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, provide a copy of the Certificate of Incorporation/Organization/Limited Partnership (one page) including any name change amendments OR other <i>Business Certificate</i> . If NO, provide a copy of the Certificate of Authority/Authority of L.L.C/Registration (one page) including any name change amendments OR other <i>Business Certificate</i> .		
9. If applicable, is the prospective registrant in compliance with tax payments for Unemployment Compensation and Worker's Compensation as required by the Bureau of Employment Programs? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DOES NOT APPLY, explain _____ If NO, then this company is not eligible for emission trading credit generation, trading, or use per Section 4.1 of 96CSR1, "Rule Implementing the Requirement That Prohibits Agencies from Granting, Issuing, or Renewing Contracts, Licenses, Permits, Certificates, or Other Authority to Conduct a Trade, Profession, or Business to or with Any Employing Unit Who Is in Default with Regards to Unemployment Compensation or Workers' Compensation."		
SOURCE INFORMATION		
10. Source Name		
11. Source Location (if non-point source reduction, identify area). Include street address, city, county, state, and zip code. Include detailed directions on how to reach the source including all road or street designations as well as a clear copy of a map (a general county highway map will suffice).		
11A. Will ERC generation records, including data and test runs required by all applicable emission monitoring and quantification protocols, be maintained at this location (45CSR28.12.3.h.4.)? <input type="checkbox"/> YES <input type="checkbox"/> NO If NO, please identify this location:		
12A. UTM Northing (km):	12B. UTM Easting (km):	12C. UTM Zone:
13A. Type of Source: <input type="checkbox"/> STATIONARY SOURCE <input type="checkbox"/> AREA SOURCE <input type="checkbox"/> MOBILE SOURCE		

24. Have the emission reductions claimed been generated before January 1, 1991? YES NO

25. Have the emission reductions claimed been used to satisfy prior or continuing emission offset requirements under section 173 of the federal clean air act or 45CSR19, for demonstrating attainment or maintenance of any applicable national ambient air quality standard under the state implementation plan, or for netting requirements under section 173 of the federal clean air act, 45CSR19, and section 165 of the federal clean air act and 45CSR14, or for emission netting if authorized under 45CSR13? YES NO

If YES to either of these, then these emission reductions are not eligible to generate ERCs to be used or traded under 45CSR28 (45CSR28.7.1.b).

26. Were any of the emission reductions claimed made to correct violations of any applicable emission standard or limitation? YES NO

27. Did any of the emission reductions claimed result from a source, process, or process equipment operating in violation of an applicable monitoring, reporting, or recordkeeping requirement? YES NO

If YES to either of these, then these emission reductions are not eligible to generate ERCs to be used or traded under 45CSR28 (45CSR28.4.10).

28. Does (or will) this facility participate in a regional nitrogen oxides trading program established pursuant to final rules promulgated by US EPA (for example, 45CSR1 or 45CSR26 when final)? YES NO

If YES, then this source is prohibited from generating, trading, or using nitrogen oxides emissions reductions credits under 45CSR28 (45CSR28.4.11).

29. Is this source subject to oxides of nitrogen emission limits under the 1990 amendments to Title IV of the Clean Air Act (Acid Rain Program)? YES NO

If YES, and this source has obtained through a Title IV Acid Rain Permit an alternative contemporaneous emission limit (ACEL) or an alternative emission limit (AEL), then this source is prohibited from generating, trading, or using oxides of nitrogen emissions reductions credits under 45CSR28 (45CSR28.4.9).

30. Is this source subject to sulfur dioxide allowance allocation under the 1990 amendments to Title IV of the Clean Air Act (Acid Rain Program)? YES NO

If YES, and this source has used or transferred sulfur dioxide allowances under the Acid Rain Program, then this source is prohibited from generating, trading, or using sulfur dioxide emissions reductions credits under 45CSR28 (45CSR28.4.9).

ERC GENERATION INFORMATION											
		Time of Year ERCs Proposed to be Generated (actual tons)									
Pollutant Name	Attainment Status	Jan	Mar	May	July	Sept	Nov	Total/ Yr	Total/ Ozone Season		
		Feb	April	June	Aug	Oct	Dec				
31A.	31B.	31C. 31D.	31E. 31F.	31G. 31H.	31I. 31J.	31K. 31L.	31M. 31N.	31O.	31P.		
32A.	32B.	32C. 32D.	32E. 32F.	32G. 32H.	32I. 32J.	32K. 32L.	32M. 32N.	32O.	32P.		
33A.	33B.	33C. 33D.	33E. 33F.	33G. 33H.	33I. 33J.	33K. 33L.	33M. 33N.	33O.	33P.		

34A.	34B.	34C. 34D.	34E. 34F.	34G. 34H.	34I. 34J.	34K. 34L.	34M. 34N.	34O.	34P.
35A.	35B.	35C. 35D.	35E. 35F.	35G. 35H.	35I. 35J.	35K. 35L.	35M. 35N.	35O.	35P.
36A.	36B.	36C. 36D.	36E. 36F.	36G. 36H.	36I. 36J.	36K. 36L.	36M. 36N.	36O.	36P.

"Ozone season" means the period of time beginning on and including April 1 and continuing through October 31 of each calendar year (45CSR28.2.27)

37. ERC Generation Start Date	38. ERC Generation End Date	39. # of Ozone Season Days in ERC Generation Period	40. # of Non-Ozone Season Days in ERC Generation Period
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41. Are the actual ERCs claimed above consistent with data submitted previously to DAQ's Emissions Inventory Group?
 YES NO
 If YES, then provide the corresponding Emissions Inventory Identification Numbers: GROUP _____, UNIT _____
 If NO, then emission reductions claimed will be ineligible for ERC credit (45CSR28.7.1.a.).

HAZARDOUS AIR POLLUTANTS:
 42. Are any Hazardous Air Pollutants (HAPs) as listed in Section 112(b) of the 1999 Clean Air Act Amendments included as part of any of the ERCs claimed above (e.g. as PM₁₀ or VOC)? YES NO
 If YES, attach an estimate of hourly, monthly, and annual actual emissions of each (speciated) HAP.

43. Will the emission reductions which will generate the ERCs include reductions of HAP emissions? YES NO
 44. Will the emission reductions which will generate the ERCs be accompanied by or cause increases in criteria air pollutants or HAPs? YES NO
 If YES to either of these, then such decreases or increases must be identified by pollutant and amount of pollutant. The sources at which such increases or decreases occur must also be identified if different than the sources identified in the Source Information section (45CSR28.12.3.i.). Attach this information.
 If any of these concurrent emissions increases associated with the proposed emission reduction result in a requirement to obtain a permit under the provisions of 45CSR13, 45CSR14, 45CSR19, or 45CSR30, then the appropriate permit application(s) must be submitted, and such permit(s) must be issued *before* the ERCs may be used (45CSR28.4.8.).

EMISSION MONITORING AND QUANTIFICATION PROTOCOL

45. What type of emission monitoring and quantification protocol is proposed to quantify emissions baseline and proposed ERC generation (45CSR28.12.g.)? Existing Federally Approved Alternate to Federally Approved New

45A. If "Existing Federally Approved" was chosen, then reference these methods and protocols (attach page(s), if necessary): _____

[NOTE: Currently, EPA has not yet published any federally approved emission monitoring and quantification protocols for the purpose of ERC trading for any source category. Until these documents are available, DAQ is requiring the emission monitoring and quantification protocols submitted with each Notice of ERC Generation and each Notice of ERC Use/Retirement, to follow the procedures of 45CSR28.8.2.b. for new or alternate emission monitoring and quantification protocols, including the prior notice requirements to both DAQ and EPA.]

These emission monitoring and quantification protocol(s) must be consistent with the methods proposed to determine compliance with all applicable requirements. Additionally, they must be creditable, accurate, workable, enforceable, and replicable (45CSR28.8.5.), and ensure that conservative results are obtained (45CSR28.8.6.). Include analyses for each of these requirements. Existing federally approved emission monitoring and quantification protocols must meet the requirements of Sections 8.7. and 8.8. of 45CSR28.

Include this Existing Federally Approved emissions monitoring and quantification protocol, along with site-specific information for your facility.

45B. If "Alternate to Federally Approved" or "New" were chosen, then an **Application to Use a New or Alternate Quantification Protocol** must have been submitted both to the DAQ and to US EPA Region III at least 30 days prior to this Notice of ERC Generation per 45CSR28-8.2.b and 45CSR28-8.3. What date was this form submitted? _____

46. All of the following documentation must be included for the emission monitoring and quantification protocol required by Section 8 of 45CSR28:

46A. Identify all applicable emission monitoring and quantification protocols used for purposes of generating ERCs, and for determining compliance with applicable air quality requirements, where such protocols exist. Where applicable, identify the specific emission monitoring and quantification protocol used to quantify emissions of mobile sources (45CSR28.12.3.h.1.).

46B. A description of the emission monitoring and quantification protocols considered for use under this rule, and an explanation of the rationale for using the chosen emission monitoring and quantification protocol (45CSR28.12.3.h.2.)

46C. Include calculations, including both of the following:

Calculations of baseline emissions and emission reductions from the baseline (12.3.h.3.a.); AND

Calculations to substantiate the measured activity level during the baseline determination period and the period of emission reduction credit generation. Units of operation or activity level during both the baseline determination period and the period of emission reduction credit generation shall be appropriate for the specified emission monitoring and quantification protocol and shall be consistent with each other (12.3.h.3.b.).

46D. An explanation of steps taken to address bias (12.3.h.5.).

46E. Where use of an alternative emission monitoring and quantification protocol is proposed in place of an emission monitoring and quantification protocol specified by an applicable requirement, technical information to demonstrate that the proposed alternative method is at least as credible, accurate, workable, enforceable, and replicable as the method specified by the applicable requirement (12.3.h.6.).

47. ERC BASELINE: Attach a detailed submittal consistent with emissions monitoring data and the Quantification Protocol, and based on a time period specified by each applicable requirement, and the requirements of Section 6 of 45CSR28, including:

- A detailed description and quantification of all emission standards and limitations.
- The quantification methods for each source and process from which ERCs are proposed to be generated. Include data such as continuous emission monitoring (CEM) reports, stack testing, etc.
- Quantify the amount of emissions allowed by the applicable requirement (including a permit limit).
- Quantify actual emissions.

If there is no applicable requirement for this purpose, propose an appropriate averaging time that does not exceed a 30-day rolling average determined on a daily basis and complete the required baseline analysis on this basis.

If you are unsure whether the source, process or process equipment is subject to any applicable requirements, contact the Division of Air Quality PRIOR to completing this notice.

48. ERC GENERATION ACTIVITY SUMMARY: Attach a detailed submittal consistent with emissions monitoring data and the Quantification Protocol, and consistent with ERC Baseline methodologies, including:

- Identify and describe the methods used to reduce emissions.
- Identify and submit the methods, procedures and calculations used to determine baseline emission levels, emission reductions; compliance with applicable requirements and any increases in the emissions of other pollutants as a result of the emission reductions strategy. Include data such as CEM reports, stack testing, etc.
- Quantify all air pollutant emissions, including criteria pollutants and HAP, provide with supporting calculations the maximum short-term emission rate that will/occur during the ERC generation period based on the underlying applicable requirement; additionally provide maximum hourly (lb/hr) and annual emissions (ton/yr, or ton/ozone season) estimates and supporting calculations. ERCs must be calculated in a manner consistent with the method used to calculate the baseline (45CSR28.12.g.).
- Identify specific protocols used to quantify emissions. The overall uncertainty associated with the protocol should be identified and addressed where applicable.

- Propose sufficient monitoring, recordkeeping, and reporting (MRR) for all reductions claimed in order to meet the rule requirement for enforceable ERCs (45CSR28.4.12) and for recordkeeping (45CSR28.9), including for short-term emission rates, for underlying applicable rules, and for annual quantities.

The methods used and operational changes made to reduce emissions and the conditions and requirements for the generation of emission reduction credits shall continue to be legally enforceable operating requirements throughout the period of emission reduction credit generation, and shall be incorporated into an operating permit, permit to construct/modify, or permit to operate if required by the Code, rules promulgated thereunder, or the federal clean air act (45CSR28.12.6.).

By submitting a complete Notice of ERC Generation, this facility accepts all requirements necessary to achieve the emissions reductions proposed, as well as all necessary monitoring, recordkeeping, and reporting as enforceable terms and conditions by the DAQ.

49. BUSINESS CONFIDENTIALITY CLAIMS: Does this notice include information which has been claimed confidential per 45CSR31? YES NO

If YES, identify each segment of such information on each page of this request and all attachments that are claimed confidential in this submittal, and provide justification for each segment claimed confidential using the criteria specified by 45CSR31.4.1, and in accordance with the DAQ's "Precautionary Notice - Claims of Confidentiality" guidance.

CERTIFICATION OF INFORMATION

RESPONSIBLE OFFICIAL CERTIFICATION: I certify that I am authorized (per 45CSR28.2.33) to act on behalf of the company named in box 1 above. I further certify that, to the best of my knowledge, the information contained in this request and all attachments is true, accurate, and complete. I further certify that the emission reductions identified on this form and any attachments are real, surplus, enforceable, permanent, and quantifiable, and, that implementation of the emission reduction strategy has occurred, or will occur, during the period of credit generation identified in boxes 37 through 40 of this form. I further certify that the emission reductions identified in this form and any attachments have not been used elsewhere as emission reduction credits, been retired, or for any other required emissions reductions. I further certify that the emission reduction credits and any associated emission increases or decreases have been calculated in accordance with an emission quantification protocol meeting the requirements of this rule and comply with all eligibility, prohibition and limitation provisions of this rule. I further certify that emission reductions being registered from a source shutdown or curtailment will not result in emission increases from other sources, processes, or process equipment under common control.

50. SIGNATURE OF RESPONSIBLE OFFICIAL (PLEASE USE BLUE INK)	51. DATE
52. NAME & TITLE OF RESPONSIBLE OFFICIAL (printed or typed)	53. TELEPHONE NUMBER () -
54. RESPONSIBLE OFFICIAL MAILING ADDRESS (Street, City, State, Zip Code)	

Send completed form via certified mail to:

EMISSION TRADING PROGRAM
 DIVISION OF AIR QUALITY
 601 57th Street, SE
 CHARLESTON, WV 25304